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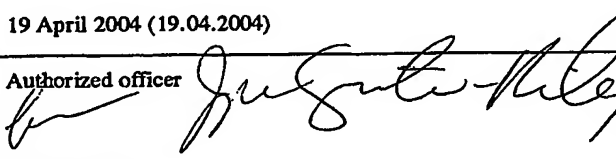
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 29 APR 2004

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Applicant's or agent's file reference F163022		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US02/33650	International filing date (day/month/year) 21 November 2002 (21.11.2002)	Priority date (day/month/year) 20 February 2002 (20.02.2002)	
International Patent Classification (IPC) or national classification and IPC IPC(7): H04H 1/00, 7/00; H04Q 7/20; H04N 7/16, 7/173 and US Cl.: 455/3.01, 3.05, 3.06, 426, 454; 725/62, 105, 106			
Applicant PASOVER, INC.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>0</u> sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand 29 July 2003 (29.07.2003)		Date of completion of this report 19 April 2004 (19.04.2004)	
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No.		Authorized officer  Telephone No.	

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US02/33650**I. Basis of the report****1. With regard to the elements of the international application:***

- ☒ the international application as originally filed.
- ☒ the description:
pages 1-13 as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the claims:
pages 14-20, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the drawings:
pages 1-26, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☐ the sequence listing part of the description:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International appli No.
PCT/US02/33650

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims <u>NONE</u>	YES
	Claims <u>1-65</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-65</u>	NO
Industrial Applicability (IA)	Claims <u>1-65</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-65 lack novelty under PCT Article 33(2) as being anticipated by Newson (5,953,670).

Regarding claims 1-65, Newson discloses a system which provides cellular communication via a CATV network (Abstract). The CATV system carries traffic between a CATV station 10 disposed at the headend and a plurality of subscriber premises. In addition, the system carries cellular communications traffic between a cellular (i.e. GSM) base station 21 via the headend and a number of remote antenna drivers (RAD) 25 providing wireless communications with mobile terminals 27 (see col 3 lines 8-16).

Newson further discloses a switching center 211 and a base station controller 212 which form part of the GSM cellular network and only discloses those parts of the GSM network that are essential to the understanding of the invention (see col 3 lines 29-35).

Newson further discloses frequency transposition (see col 3 lines 28-56). In particular, the signal transmitted from each mobile terminal is received by each of the RAD's. Each RAD then transposes the radio signal to a frequency suitable for CATV upstream transmission. At the system headend, the upstream cellular signals are converted or transposed back to the cellular traffic frequency by the HESP.

Newson discloses the particular broadcast frequency will be determined by the licensing authority, but it is expected that the uplink will be in a band between 1850 and 1859 Mhz and that the downlink frequency will be in a band between 1930 and 1975, there being a 80 MHz uplink/downlink duplex offset. The frequency allocation of the cable path will depend on the particular CATV network and on the location within the network (col 4 lines 19-39). Newson further discloses uplink and downlink frequencies (see col 4 lines 19-39).

Newson discloses the RAD is contained within a housing or enclosure comprises a remote transposer 31 providing an interface between the mobile radio and CATV environments, a remote modem 32 which facilitates transmission of control data between the RAD and the system head end, and remote controller 33. Communication between the RAD and mobile terminals is effected via an antenna unit coupled to the RAD and discloses the structure of the RAD (see col 4 line 54 - col 5 line 12).

Newson further discloses RF signal filtration, frequency amplification, conversion to the intermediate frequency (see col 5 lines 56-67) and HESP/RAD gain adjustment provided on both the uplink and downlink (see col 6 lines 33-67).

----- NEW CITATIONS -----